REMARKS

In the Non-Final Office Action mailed June 23, 2009, Claims 1-24 and 26-105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. App. Pub. No. 2002/0057764 ("Salvucci") in view of U.S. Patent No. 6,885,874 ("Grube"). Claims 35-49 and 75 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Salvucci and Grube in view of U.S. Pat. App. Pub. No. 2002/0076003 ("Zellner").

In view of the generality of the reference in the Office Action to rejection or rejections "noted above" and the Figures in general of Salvucci, Assignee respectfully requests specific examination on the features of each claim. "In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable." 37 C.F.R. § 1.104(c)(2) (emphasis added).

Various claim features are rejected as being "inherent." Specifically, a "media database" and a "media aggregation program" noted on page 2 of the Office Action and "claims 25 - 26" on page 3 are rejected as simply "inherent". However, the rejections fail to provide a basis in fact and/or technical reasoning to reasonably support the determination of inherency. MPEP 2112(IV). Inherency cannot be established by probabilities or possibilities. Instead, the office action must establish why the allegedly inherent features are necessarily present in the cited references. Thus, the rejections do not meet the standard required for inherency and their withdrawal is respectfully requested.

Similarly, various claim features are rejected as being "obvious to one of ordinary skill in the art." However, the rejections fail to provide the required clear articulation of the reason(s) why the claimed invention would have been obvious. MPEP 2142. Obviousness cannot be established by a bald conclusion. Thus, the rejections do not meet the standard required for obviousness, and their withdrawal is respectfully requested.

In the interest of advancing prosecution, the Assignee has responded below based on the Office Action as best understood. Claims 1, 15 and 97 were amended to incorporate certain features from Claim 35. Claims 4, 7 and 8 were amended in

light of the amendments to Claim 1. Claims 3 and 98 were cancelled in light of the amendments to their respective independent claims.

Assignee respectfully requests reconsideration of the rejections of pending Claims 1, 2, 4-24, 26-97 and 99-105, including independent Claims 1, 15, 35, 49, 67, 76, and 97.

Independent **Claims 1, 15, 35 and 97** recite, *inter alia*, an investigation program comprising instructions for applying an automatic update filter comprising match criteria against media classification and characteristic information to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report.

Salvucci does not teach or suggest an investigation program comprising instructions for applying an automatic update filter comprising match criteria against media classification and characteristic information to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report. Instead, Salvucci discloses a subscriber registration program, an alert signal origination program, a real-time acquisition program and a notification program (¶¶ [0090], [0093], [0116], [0129]). None of these programs either apply an automatic update filter comprising match criteria to determine matching supplemental sensor media or associate the matching supplemental sensor media with an investigation report. Thus, Salvucci does not teach or suggest an *investigation program* comprising instructions for applying an automatic update filter comprising match criteria against media classification and characteristic information to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report.

In contrast, the present specification discloses an investigation program comprising instructions for applying an automatic update filter comprising match criteria against media classification and characteristic information to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report (¶ [0142]). The benefits of these features include providing a call center with significant enhancements to receiving, processing and communicating incident reports (¶ [0130]).

Additionally, the Office Action does not rely on Grube to teach or suggest an investigation program comprising instructions for applying an automatic update filter

comprising match criteria against media classification and characteristic information to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report. Instead Grube discloses a group location sharing service for sharing location and route information between communication units subscribed to a group (abstract). Therefore, even assuming that reasons exist to make the asserted combinations, those combinations do not teach or suggest at least an *investigation program* comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report.

Zellner also does not teach or suggest an investigation program comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report. Instead, Zellner discloses real-time monitoring with a remote monitoring device (abstract). Zellner does not either apply an automatic update filter comprising match criteria to determine matching supplemental sensor media or associate the matching supplemental sensor media with an investigation report. Thus, Zellner does not teach or suggest an *investigation program* comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report.

Because none of the asserted combinations teach or suggest an investigation program comprising instructions for applying an automatic update filter comprising match criteria to determine matching supplemental sensor media and associating the matching supplemental sensor media with an investigation report, the pending claims are patentable.

Independent **Claim 49** recites, *inter alia*, a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location.

Salvucci does not teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. Instead, Salvucci discloses a subscriber registration program, an alert signal origination program, a real-time acquisition program and a notification program (¶¶ [0090], [0093], [0116], [0129]). None of these programs either analyze incident information to determine an incident location and an incidence occurrence time or initiate transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. Thus, Salvucci does not teach or suggest a *media preservation program* comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location.

In contrast, the present specification discloses a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location (¶¶ [0111], [0112]). The benefits of these features include preserving media that might otherwise be discarded, destroyed, overwritten, or otherwise lost (¶ [0111]).

Additionally, the Office Action does not rely on Grube to teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. Instead Grube discloses a group location sharing service for sharing location and route information between communication units subscribed to a group (abstract). Therefore, even assuming that reasons exist to make the asserted combinations, those combinations do not teach or suggest at least a *media preservation program* comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location.

Zellner also does not teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. Instead, Zellner discloses "activating" a remote controlling functionality "to monitor the user's vicinity during the emergency" (¶ [0027]). Zellner does not either analyze the incident information to determine an incident location and an incidence occurrence time or initiate transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. Thus, Zellner does not teach or suggest a *media preservation program* comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location.

Because none of the asserted combinations teach or suggest a media preservation program comprising instructions for analyzing the incident information to determine an incident location and an incidence occurrence time and initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location, the pending claims are patentable.

Independent **Claim 67** recites, *inter alia*, a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record.

Salvucci does not teach or suggest a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record. Instead, Salvucci discloses setting up a 3-way call to a network which terminates in a voice-recording device that records the call (¶ [0117]). The Salvucci process does not accept incident characteristic information for the third party media from the network infrastructure interface or add the incident characteristic information to the media record.

In contrast, the present specification discloses a media indexing program comprising instructions for accepting incident characteristic information for the third

party media from the network infrastructure interface and adding the incident characteristic information to the media record (¶¶ [044], [045]). The benefits of these features include compiling not only initial information concerning reported incidents, but also many different types of media over time that may help illustrate, explain, and understand the incident or the geographical area (¶ [045]).

Additionally, the Office Action does not rely on Grube to teach or suggest a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record. Instead Grube discloses a group location sharing service for sharing location and route information between communication units subscribed to a group (abstract). Therefore, even assuming that reasons exist to make the asserted combinations, those combinations do not teach or suggest at least a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record.

Zellner also does not teach or suggest a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record. Instead, Zellner discloses an emergency service provider remotely activating a monitoring device in a user's vicinity upon receiving an emergency help request from the user, and receiving information sent by the monitoring devices on a real-time basis to enable the service personnel to plan appropriate response to the emergency at hand (abstract). Zellner does not accept incident characteristic information for the third party media, nor does Zellner add any incident characteristic information to a media record.

Because none of the asserted combinations teach or suggest a media indexing program comprising instructions for accepting incident characteristic information for the third party media from the network infrastructure interface and adding the incident characteristic information to the media record, the pending claims are patentable.

Independent **Claim 76** recites, *inter alia*, an investigation program comprising instructions for accepting incident search parameters, initiating execution of an

incident search in the media database based on the search parameters, displaying a selection interface comprising media record indicia associated with matching media records returned from the incident search, displaying an investigation report interface, and accepting report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records.

Salvucci does not teach or suggest an investigation program. Instead, Salvucci discloses a subscriber registration program, an alert signal origination program, a real-time acquisition program and a notification program (¶¶ [0090], [0093], [0116], [0129]). None of these programs are *investigation* programs, let alone an investigation program that accepts incident search parameters, initiates execution of an incident search in the media database based on the search parameters, displays a selection interface comprising media record indicia associated with matching media records returned from the incident search, displays an investigation report interface, or accepts report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records.

In contrast, the present specification discloses an investigation program (¶ [0130]) comprising instructions for accepting incident search parameters (¶ [0136]), initiating execution of an incident search in the media database based on the search parameters (¶ [0137]), displaying a selection interface comprising media record indicia associated with matching media records returned from the incident search (¶ [0137]), displaying an investigation report interface (ref. no. 1608, FIG. 17), and accepting report components for building an investigation report in the report interface (¶ [0140]), the report components comprising at least a portion of the incident information and selected media records. The benefits of these features include providing significant enhancements to receiving, processing and communicating incident reports and providing searching and authoring capabilities (¶ [0130]).

Additionally, the Office Action does not rely on Grube to teach or suggest an investigation program comprising instructions for accepting incident search parameters, initiating execution of an incident search in the media database based on the search parameters, displaying a selection interface comprising media record indicia associated with matching media records returned from the incident search,

displaying an investigation report interface, and accepting report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records. Instead Grube discloses a group location sharing service for sharing location and route information between communication units subscribed to a group (abstract). Therefore, even assuming that reasons exist to make the asserted combinations, those combinations do not teach or suggest at least an investigation program that accepts incident search parameters, initiates execution of an incident search in the media database based on the search parameters, displays a selection interface comprising media record indicia associated with matching media records returned from the incident search, displays an investigation report interface, or accepts report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records.

Zellner also does not teach or suggest an investigation program. Instead, Zellner discloses a system and method for remotely controlling one or more monitoring devices is a user's household in the event of emergency so as to more productively monitor the emergency situation on a real-time basis (abstract). Zellner's system and method are not investigation programs, let alone an investigation program that accepts incident search parameters, initiates execution of an incident search in the media database based on the search parameters, displays a selection interface comprising media record indicia associated with matching media records returned from the incident search, displays an investigation report interface, or accepts report components for building an investigation report in the report interface, the report components comprising at least a portion of the incident information and selected media records.

Because none of the asserted combinations teach or suggest an investigation program as claimed, the pending claims are patentable.

Dependent **Claims 2, 4-14, 16-24, 26-34, 36-48, 50-66, 68-75, 77-96, and 99-105** each depend from one of the independent claims and are allowable for at least the same reasons as their respective base claim. Further features patentably distinguish the dependent claims from the cited references alone or in combination. Examples are given below.

Claim 16 recites instructions for selecting the subscriber entity based on pre-determined incidents of interest to the subscriber entities. In contrast, Salvucci teaches notifying all the devices listed in a subscriber record (¶ [0136]) without selection.

Claim 20 recites selecting the subscriber entity based on an incident party. For example, whether an incident alert is sent may depend on whether the parties are related (specification ¶ [074]). The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature.

Claim 29 recites the incident alert further comprising supplemental incident information associated with an additional incident proximate to the incident location. The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature. .

Claim 38 recites motion detectors near the incident location and that the sensor activation instruction is a motion capture activation instruction. With the ability to capture motion from motion detectors near the incident location, the system may complement its media database with additional relevant incident media in a directed and controlled manner (see, specification ¶ [091]). The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature.

Claims 43-46 recite initiating and receiving transmissions to sensors through an ad-hoc sensor network with intermediate nodes and a principal node in communication with the network infrastructure interface through which incident reports are received at the system. The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature.

Claims 50-61 recite features concerning pre-incident and post-incident media retention specifiers. These specifiers give the call center the flexibility of determining from which time periods media may be preserved that would otherwise be discarded, destroyed, or otherwise lost (see, specification ¶ [0111]). The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature.

Claim 69 recites accepting network infrastructure interface inputs corresponding to the incident characteristic information menu that specify the

incident characteristic information. The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature.

Claim 85 recites a report database for storing the investigation report. The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature.

Claims 91-94 recite features concerning automatic update report components. These claims recite an automatic update filter with match criteria that the tool can use to determine matching submitted media and associate matched media with the received incident report, thereby automatically creating a robust report of the incident supported by the automatically matched media. The office action has not identified any actual disclosure in the references or their asserted combinations that teaches or suggests this feature.

CONCLUSION

Assignee respectfully submits that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the Attorney for Assignee listed below.

Respectfully submitted,

Dated: September 23, 2009

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